

# Derek Smith Law Group, PLLC

Employment Lawyers Representing Employees Exclusively

February 24, 2016

## VIA ECF

Hon. Lorna G. Schofield, U.S.D.J.  
U.S. District Court for the Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, New York 10007

Re: Kristen Haight v. NYU Langone Medical Center, Inc., NYU Medical  
Center, NYU School of Medicine, Medtronic, Inc., & Consignmed, Inc.,  
No. 13-CV-4993 (LGS-JLC)

Dear Judge Schofield:

We were just retained to represent Plaintiff, Kristen Haight, in the above-named action. As Your Honor may be aware, a prior attorney previously represented Plaintiff. However, tragically for the Plaintiff, as we understand it, her prior attorney provided woefully inadequate representation of Ms. Haight. As we understand it, her prior attorney, *inter alia*, failed to take any depositions at all, fraudulently forged Ms. Haight's signature on a settlement agreement with a co-defendant, fraudulently converted client funds and committed a host of other misconduct. As we understand, Ms. Haight is regrettably but one of the many victims of her prior attorney. Upon information and belief, her prior attorney is currently in prison for numerous crimes involving stealing client funds. The effects of his behavior left Ms. Haight devastated. Ms. Haight was fraudulently misled and taken advantage of by a member of the bar. It is under these tragic and grave circumstances that we happened to come in contact with Ms. Haight, and felt compelled to take her case. In an effort to provide her with some hope in this distressing situation, we respectfully request that Your Honor allow some very limited re-opening of discovery for the narrow purposes of conducting perhaps 2-3 depositions, exchanging a 26(a) disclosure, and filing a jury demand. We do not wish to delay the case any further and if Your Honor allows, we could conduct these depositions forthwith.

I know this is an unusual request given the fact that discovery is complete. However, in light of the fact that Plaintiff was victimized by a corrupt attorney, we ask for the Court's understanding and compassion. Please also note that all of the above regarding her prior attorney constitutes my understanding of his situation and not statements of fact, but rather my belief and opinion.

Thank you for the Court's attention to this matter.

Respectfully submitted,

DEREK SMITH LAW GROUP PLLC

/s/Zack Holzberg  
Zack Holzberg

cc: All counsel for Defendant's